REPORT OF ACTION AND RECOMMENDATION ON PLEA BEFORE THE UNITED STATES MAGISTRATE JUDGE

This Report of Action on Plea is submitted to the court pursuant to 28 U.S.C. § 636(b)(3). This case has been referred by the United States district judge to the undersigned for the taking of a guilty plea. The parties have consented to appear before a United States magistrate judge for these purposes.

The defendant appeared with counsel before the undersigned United States magistrate judge who addressed the defendant personally in open court and informed the defendant of, and determined that the defendant understood, the admonitions contained in Rule 11 of the Federal Rules of Criminal Procedure.

The defendant pled guilty (pursuant to a plea bargain agreement with the government) to count one of the one-count information charging defendant with the violation of 18 U.S.C. § 1708. The undersigned magistrate judge finds the following:

- 1. The defendant, upon advice of counsel, has consented orally and in writing to enter this guilty plea before a magistrate judge subject to final approval and sentencing by the presiding district judge;
- 2. The defendant fully understands the nature of the charges and penalties;
- 3. The defendant fully understands the terms of the plea agreement;
- 4. The defendant understands all constitutional and statutory rights and wishes to waive these rights, including the right to a trial by jury and the right to appear before a United States district judge;
- 5. The defendant's plea is made freely and voluntarily;
- 6. The defendant is competent to enter this plea of guilty;